

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 624 OF 2003

MR. JOSE AVELINO F.MENEZES ALIAS
FORTUNATO MENEZES

....Petitioners

Versus

STATE OF GOA AND 87 ORS.,

....Respondents

SHRI J.A. LOBO, SHRI C.A. COUTINHO

Coram:- A.M.KHANWILKAR &
P. V. HARDAS, JJ.

Date:- 9th December, 2003

P.C.:

Heard both sides.

We are not inclined to exercise writ jurisdiction at the instance of the Petitioner for more than one reason. In the first place, Notification fixing dates for election which is challenged in this Petition was issued as back as on November 5, 2003. Whereas the petition has been filed on 5th December, 2003 and moved before us for today when election process in respect of some of the comunidades is already progressed till the stage of poll. In any case, it is seen that the petitioner who alone has taken exception to the Notification, at best, may succeed in his argument only with regard to one of the Comunidades, namely Seraulim, in respect of which elections are

notified for 16th December, 2003 which is not a Sunday. The explanation offered by the petitioner for delay in filing the Writ Petition does not commend to us.

In the circumstance, we decline to exercise our writ jurisdiction. Hence dismissed.

A.M.KHANWILKAR, J.

P. V. HARDAS, J.